

SAMPLE CONTRACT AMENDMENT/ADDENDUM
(5/2005)

INSTRUCTIONS: REVISE OR DELETE AS NEEDED.

CONTRACTS MUST BE AMENDED WHEN CHANGES ARE MADE TO TERMS SUCH AS THE SCOPE OF WORK, TERMS AND CONDITIONS, PRICING, AND THE CONTRACT TERM.

THE CONTRACT MUST ACCURATELY REFLECT WHAT WILL BE DONE AND HOW PAYMENTS WILL BE MADE.

AN AMENDMENT MAKES AN ADDITION, DELETION, OR SUBSTITUTION IN A CONTRACT. IT IS GENERALLY EXECUTED SOMETIME AFTER THE INITIAL CONTRACT

AN ADDENDUM SUPPLEMENTS A CONTRACT. IT IS GENERALLY EXECUTED AT THE SAME TIME AS THE INITIAL CONTRACT.

WHEN DRAFTING AN AMENDMENT OR ADDENDUM, REFERENCE THE SECTION OF THE CONTRACT BEING AMENDED OR SUPPLEMENTED.

A CONTRACT EXTENSION PROVIDES THE CONTRACTOR WITH ADDITIONAL TIME FOR PERFORMANCE.

A CONTRACT RENEWAL IS USED WHEN EXERCISING AN OPTION PERMITTED IN THE CONTRACT TO AWARD AN ADDITIONAL CONTRACT PERIOD UPON SUCCESSFUL COMPLETION OF THE INITIAL OR A SUBSEQUENT CONTRACT PERIOD.

ANY AMENDMENTS TO EXTEND OR RENEW A CONTRACT MUST BE EXECUTED BEFORE THE EXPIRATION OF THE INITIAL CONTRACT.

ALL PARTIES MUST EXECUTE (SIGN AND DATE) THE AMENDMENT BEFORE THE CHANGES TAKE EFFECT.

DELETE THESE INSTRUCTIONS AND ALL EXAMPLES BEFORE PRINTING.

**STATE OF NORTH DAKOTA
AGENCY OR INSTITUTION NAME
ADDRESS
CITY, STATE, ZIP**

INSTRUCTIONS: SELECT TYPE

ADDENDUM OR AMENDMENT

CONTRACT [ADDENDUM OR AMENDMENT]

AMENDMENT OR ADDENDUM TO CONTRACT BETWEEN STATE OF NORTH DAKOTA ACTING THROUGH ITS [INSERT AGENCY NAME] AND [INSERT CONTRACTOR'S LEGAL NAME].

This amendment is entered into between the State of North Dakota, acting through its **AGENCY NAME** (State) and **CONTRACTOR NAME** (Contractor) to amend the **NAME OF THE CONTRACT**. The parties agree to the following terms and conditions and expressly agree that if any of the following terms and conditions are in conflict with any of the terms and conditions of the Contract, then, notwithstanding any term in the Contract, the following terms and conditions govern and control the rights and obligations of the parties. Any amendments to the Contract, this Addendum, or any other amendments, must be in writing and executed by each party.

Examples

1. Extension: Section 2, Contract Term, is amended as follows: the contract expiration date is changed from December 31, 2005 to March 31, 2006.
2. Renewal: Section 2, Contract Term, is amended as follows: the contract is renewed for an additional one year period, beginning January 1, 2005 and ending December 31, 2006.
3. Scope of Work: Section 3, Scope of Work, is amended as follows: *Describe the change, referencing the appropriate section of the contract or contractor's proposal, if the proposal was incorporated into the contract by reference.*
4. Payment: Section 5, Payment is amended as follows: the contract price list, dated November 2004, is replaced with the contract price list dated May 2005. This price list is attached as Exhibit A.

**INSTRUCTIONS: REVISE OR DELETE AS REQUIRED.
INSERT ALL APPLICABLE CLAUSES. SEE THE
ATTORNEY GENERAL CONTRACT DRAFTING AND
REVIEW MANUAL FOR SAMPLE CLAUSES.**

**CONTACT YOUR ASSISTANT ATTORNEY GENERAL OR
SPECIAL ATTORNEY GENERAL FOR ASSISTANCE.**

**DELETE THESE INSTRUCTIONS AND ALL
EXAMPLES BEFORE PRINTING.**

5. Effective Date. This Contract is not effective until fully executed by all parties.

(The remainder of this page is intentionally left blank)

EXECUTION

CONTRACTOR NAME INSERT CONTRACTOR'S LEGAL NAME
ADDRESS
BY ITS
SIGNATURE
TITLE
DATE

STATE OF NORTH DAKOTA acting through its INSERT AGENCY NAME
ADDRESS
BY ITS
SIGNATURE
TITLE
DATE